Panaji, 18th February, 1971 (Magha 29, 1892) SERIES I No. 47

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Home Department 'C'

Notification

HD.8/15896/68-C

Notification No. 11012/5/70-F.I dated 4-2-71 from the Government of India, Ministry of Home Affairs, New Delhi, is hereby published in Government Gazette for information of general public.

S. N. Dhumak, Under Secretary (Home).

Panaji, 11th February, 1971.

Notification

No. 11012/5/70/-F.I — The following draft of certain rules further to amend the Registration of Foreigners Rules, 1939, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Registration of Foreigners Act, 1939 (16 of 1939) is herby published as required by the said section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Central Government on or after the 31st March, 1971.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government

DRAFT RULES

1. (1) These rules may be called the Registration of Foreigners (Amendment) Rules, 1971.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Registration of Foreigners Rules, 1939, in rule 6, —

(i) in sub-rule (1), after clause (c), the following clause shall be inserted, namely: —

"*(d)* in the case of a person who has become a foreigner by reason of his having ceased to be a citizen of India while resident in India, to the Registration Officer having jurisdiction in the place where the said person is ordinarily resident".

(ii) in sub-rule (2), after clause (c), the following clause shall be inserted, namely: —

"*(d)* in the case of a foreigner referred to in clause *(d)* of sub-rule (1), within fifteen days of his ceasing to be a citizen of India".

(iii) after sub-rule (2), the following *Explanation* shall be inserted, namely: —

"*Explanation* — For the purposes of sub-rule (1) and sub-rule (2), the date on which the person concerned shall be deemed to have ceased to be a citizen of India, shall be —

(a) where he has voluntarily acquired the citizenship of another country by naturalisation or registration, the date of such naturalisation or registration;

(b) where he has obtained a passport from the Government of any other country, the date on which such passport was obtained:

Provided that in the case of a person in respect of whom an order has been made under sub-section (2) of section 9 of the Citizenship Act, 1955 (57 of 1955) holding that he had acquired the citizenship of a foreign country, such date shall be the date of the order aforesaid".

J. C. AGARWAL
Joint Secretary to the Govt. of India.

Revenue Department

Notification

RD/LND/213/69-71/I

In exercise of the powers conferred by sub-section (3) of section 1 of the Goa, Daman and Diu Land Revenue Code, 1968 (Act No. 9 of 1969), the Administrator of Goa, Daman and Diu hereby appoints the 20th day of February, 1971 as the date on which the provision of section 3 of the said Code shall come into force, in the Union Territory of Goa, Daman and Diu.

By order and in the name of the Administrator of Goa, Daman and Diu.

J. C. Almeida, Secretary (Revenue).

Panaji, 15th February, 1971.

Notification

No. RD/LND/213/69-71/II

The Goa, Daman and Diu Land Revenue Code, 1968.

In exercise of the powers conferred by sub-section (1) of section 3 of the Goa, Daman and Diu

Land Revenue Code, 1968 (Act No. 9 of 1969) and of all other powers enabling him in this behalf, the Administrator of Goa, Daman and Diu hereby directs that the Union Territory of Goa, Daman and Diu shall be constituted into the districts, sub-divisions, talukas and villages as mentioned under columns 2, 3, 4 & 5 respectively in the schedule appended hereunder:

SCHEDULE I

Sr. No.	Districts	Sub-Divisions	Talukas	Villages
1	2	3	4	5
1.	Goa	1) Goa North	1) Tiswadi	1) Azossim
				2) Ambarim
				3) Bambolim
				4) Bainguinim
				5) Batim
				6) Chimbel
				7) Chorao
				8) Calapor
				9) Capao
				10) Caraim
				11) Carambolim
				12) Cumbarjua
				13) Corlim
				14) Cujira
				15) Curca
				16) Durgavado
				17) Ella
				18) Gancim
				19) Gandaulim
				20) Goalim-Moula
				21) Goltim
				22) Goa-Velha
				23) Jua
				24) Morambi-o-Grande (Merces)
				25) Morambi-o-Pequeno (Merces)
				26) Malar
				27) Mandur
				28) Mercurim
				29) Murda
				30) Neura-o-Grande
				31) Neura-o-Pequeno
				32) Naroa
				33) Navelim
				34) Panaji
				35) Panelim
				36) Renovadi
				37) Siridao
				38) Talaulim
				39) Taleigao
			2) Bardez	1) Assagao
				2) Assonora
				3) Aldona
				4) Anjuna
				5) Arpora
				6) Bastora
				7) Calangute
				8) Calvim
				9) Camurlim
				10) Canca
				11) Candolim
				12) Colvale
				13) Corjuem
				14) Corlim
				15) Cunchelim
				16) Guirim
				17) Mapusa
				18) Marna
				19) Marra
				20) Moira
				21) Moitem
				22) Nachinola
				23) Nadora
				24) Nagoa
				25) Nerul
				26) Olaulim
				27) Oxel
				28) Paliem
				29) Parra
				30) Penha de França
				31) Pilerne
				32) Pirna
				33) Pomburpa
				34) Ponolem
				35) Punola
				36) Revora
				37) Reis Magos
				38) Saligao
				39) Salvador do Mundo
				40) Sangolda
				41) Siolim
				42) Sircaim
				43) Socorro
				44) Tivim
				45) Ucassaim
				46) Verla
			3) Pernem	1) Aagarvado
				2) Amberem
				3) Alorna
				4) Arambol
				5) Chandel
				6) Chopdem
				7) Cansarvornem
				8) Casnem
				9) Corgao
				10) Dargalim
				11) Ibrampur
				12) Mandrem
				13) Mopa
				14) Morgim
				15) Ozorim
				16) Poroscodem
				17) Paliem
				18) Parcem
				19) Pernem
				20) Querim
				21) Tamboxem
				22) Tiracol
				23) Torxem
				24) Tuem
				25) Uguem
				26) Varconda
				27) Virnora
			4) Bicholim	1) Adwalpale
				2) Amone
				3) Arvalem
				4) Aturli
				5) Bordem
				6) Bicholim
				7) Carapur
				8) Cassabe de Sanquelim
				9) Cotombi
				10) Cudnem
				11) Curchirem
				12) Dumacem
				13) Lamgao
				14) Latambarcem
				15) Maem
				16) Maulinguem North
				17) Maulinguem South
				18) Mencurem
				19) Mulgao
				20) Naroa
				21) Navelim
				22) Ona
				23) Pale
				24) Piligao
				25) Salem
				26) Sarvona
				27) Sirigao
				28) Surla
				29) Vainguinim
				30) Velguem
				31) Virdi
			5) Satari	1) Ambeli
				2) Ambedem
				3) Ansolem
				4) Advoi
				5) Assodem
				6) Anjunem
				7) Bombedem
				8) Bulmpal
				9) Birondem

1	2	3	4	5
1.	Goa	1) Goa North	5) Satari	10) Carambolim-Brama
				11) Choraundem
				12) Codal
				13) Caranzol
				14) Cumarconda
				15) Cudcem
				16) Compordem
				17) Codiem
				18) Codqui
				19) Codvol
				20) Carambolim-Buzruco
				21) Cotorem
				22) Conquirem
				23) Dongurli
				24) Derodem
				25) Davem
				26) Dabem
				27) Damodem
				28) Edorem
				29) Gonteli
				30) Golauli
				31) Govanem
				32) Guleli
				33) Gululem
				34) Ivrem-Buzruco
				35) Ivrem-Curdo
				36) Morlem
				37) Massordem
				38) Mauzi
				39) Maloli
				40) Melauli
				41) Malpona
				42) Nanus
				43) Naguem
				44) Nagargao
				45) Naneli
				46) Nanorem
				47) Onda
				48) Poriem
				49) Podocem
				50) Ponsuli
				51) Pissurlem
				52) Pendral
				53) Pale
				54) Ponocem
				55) Padeli
				56) Quelaudem
				57) Querim
				58) Ravona
				59) Rivem
				60) Sirolli
				61) Surla
				62) Satrem
				63) Sigonem
				64) Saleli
				65) Satorem
				66) Sonal
				67) Sanvordem
				68) Sonus-Vonvolieni
				69) Sanvorcem
				70) Siranguli
				71) Sirsodem
				72) Ustem
				73) Valpoi
				74) Veluz
				75) Vainguinim
				76) Vaguriem
				77) Velguem
				78) Vantem
				79) Xelopo-Curdo
				80) Xelopo-Buzruco
				81) Zarani
				82) Zormen
1.	Goa	2) Goa South	1) Ponda	1) Adcolna
				2) Bandora
				3) Betora
				4) Betqui
				5) Boma
				6) Borim
				7) Candepar
				8) Candola
				9) Codar
				10) Conxem
				11) Cuncoliem

1	2	3	4	5
1.	Goa	2) Goa South	1) Ponda	12) Cundaim
				13) Curti
				14) Durbhat
				15) Marcaim
				16) Nirancal
				17) Orgao
				18) Ponchavadi
				19) Ponda
				20) Priol
				21) Queula
				22) Querim
				23) Savoi-Verem
				24) Siroda
				25) Gangem
				26) Telaulim
				27) Tivrem
				28) Usgao
				29) Vadi
				30) Vagurbem
				31) Velinga
				32) Volvoi
			2) Sanguem	1) Aglote
				2) Antoriem
				3) Bandoli
				4) Boma
				5) Bati
				6) Codli
				7) Calem
				8) Colem
				9) Caranzol
				10) Camarconda
				11) Cormonem
				12) Comproi
				13) Coranginim
				14) Costi
				15) Cotarli
				16) Curpem
				17) Colomba
				18) Curdi
				19) Cumbari
				20) Darbandora
				21) Dudal
				22) Dongurli
				23) Dongor
				24) Molem
				25) Moissal
				26) Maulinguem
				27) Muguli
				28) Naiquinim
				29) Netorli
				30) Nundem
				31) Oxel
				32) Piliem
				33) Patiem
				34) Potrem
				35) Porteem
				36) Rumbrem
				37) Rivona
				38) Sancordem
				39) Sangod
				40) Sigao
				41) Sonauli
				42) Salauli
				43) Sanguem
				44) Santona
				45) Sanvordem
				46) Sigonem
				47) Surla
				48) Tudou
				49) Uguem
				50) Viliena
				51) Vichundrem
				52) Verlem
				53) Xelpem
			3) Canacona	1) Agonda
				2) Angediva
				3) Canacona
				4) Chaudi
				5) Cola
				6) Cotigao
				7) Gaodongrem
				8) Loliem
				9) Nagorcem-Palolem
				10) Poinguinim
				11) Shristhal

1	2	3	4	5
1.	Goa	2) Goa South	4) Quepem	1) Amona
				2) Avedem
				3) Assolda
				4) Adnem
				5) Ambaulim
				6) Bali
				7) Bendordem
				8) Barcem
				9) Chaifi
				10) Cotombi
				11) Cacora
				12) Cavorem
				13) Cordem
				14) Corla
				15) Cazur
				16) Curchorem
				17) Cusmane
				18) Deão
				19) Fatorpa
				20) Gocoldem
				21) Morpila
				22) Molcopona
				23) Molcarnem
				24) Maina
				25) Mangal
				26) Naquerim
				27) Nagvem
				28) Odar
				29) Padi
				30) Pirla
				31) Quitol
				32) Quedem
				33) Quepem
				34) Quisconda
				35) Sirvoi
				36) Sulcorna
				37) Tiloi
				38) Undorna
				39) Xeldem
				40) Xelvona
				41) Xic-Xelvona
				42) Zamodem
			5) Salcete	1) Ambelim
				2) Adsulim
				3) Aquem
				4) Assolna
				5) Benaulim
				6) Betalbatim
				7) Chandor
				8) Chinchinim
				9) Consua
				10) Calata
				11) Camurlim
				12) Cana
				13) Carmona
				14) Cavelossim
				15) Cavorim
				16) Colva
				17) Curtorim
				18) Cuncolim
				19) Davorlim
				20) Deussua
				21) Dicarpale
				22) Dramapur
				23) Duncolim
				24) Gaundaulim
				25) Guirdolim
				26) Loutulim
				27) Macasana
				28) Majorda
				29) Margao
				30) Mulem
				31) Nagoa
				32) Navelim
				33) Nuvem
				34) Orlim
				35) Paroda
				36) Raid
				37) Rachol
				38) Sarzora
				39) São José de Areal
				40) Seraulim
				41) Sernabatim
				42) Sirlim
				43) Talvorda

1.	2.	3.	4	5
1.	Goa	2) Goa South	5) Salcete	44) Talaulim
				45) Utorda
				46) Vanelim
				47) Varca
				48) Velim
				49) Verna
				50) Varoda
			6) Mormugao	1) Arossim
				2) Chicalim
				3) Chicolna
				4) Cortalim
				5) Cuelim
				6) Cansaulim
				7) Dabolim
				8) Issorcim
				9) Marmagoa Port
				10) Pale
				11) Quelossim
				12) São Jacinto Island
				13) São Jorge Island
				14) Sambhaji (Vasco da Gama)
				15) Sancoale
				16) Vadem
				17) Velsao
2.	Daman			1) Bhamati
				2) Bhimpore
				3) Daman Camp (Campo dos Remedios)
				4) Daman Wada (Damao-de-Cima)
				5) Dabhel
				6) Devaka
				7) Deva Pardi
				8) Dholar
				9) Dunetha
				10) Jampore
				11) Jarivan Kad
				12) Jumprim
				13) Kachigam
				14) Kadiya
				15) Kathiriya
				16) Khariwadi
				17) Magerwade
				18) Marwad
				19) Moti Daman (Damao Praca)
				20) Narjala Pardi
				21) Nani Daman (Damao Pequeno)
				22) Palhit
				23) Pariari
				24) Ringanwada
				25) Thana Pardi
				26) Varkund
				27) Zari
3.	Diu			1) Bhucharvada
				2) Diu
				3) Fudam
				4) Gogola
				5) Simbor
				6) Vanakbara.

By order and in the name of the Administrator of Goa, Daman and Diu.

J. C. Almeida, Secretary (Revenue).

Panaji, 15th February, 1971.

Legislature Department

No. LA/A/7/260/71

The following Act passed by the Legislative Assembly of Goa, Daman and Diu received the

Assent of the President of India on the 31st January, 1971, and is hereby published for general information.

The Goa, Daman and Diu (Abolition of Proprietorship of Lands in Diu) Act, 1971

(Act No. 1 of 1971) [31st January, 1971]

An Act to provide for the abolition of proprietorship of lands in the Diu district in the Union territory of Goa, Daman and Diu and for matters connected therewith.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-first Year of the Republic of India as follows:

1. **Short title, extent and commencement.** — (1) This Act may be called the Goa, Daman and Diu (Abolition of Proprietorship of Lands in Diu) Act, 1970.

(2) It extends to all the areas within the jurisdiction of the village panchayats constituted under the Goa, Daman and Diu Village Panchayat Regulation, 1962 in the district of Diu in the Union territory of Goa, Daman and Diu.

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. **Definitions.** — In this Act, unless there is anything repugnant in the subject or context, —

(*a*) "agriculture" with its grammatical variations and cognate expressions, includes horticulture, the raising of crops or garden produce and dairy farming;

(*b*) "agricultural labour" means a person whose principal means of livelihood is the income he gets as wages, in connection with the agricultural operations he performs;

(*c*) "appointed date" means the date on which this Act comes into force;

(*d*) "Assistant Civil Administrator" means the Mamlatdar of Diu;

(*e*) "Civil Administrator" means the Civil Administrator of Diu;

(*f*) "to cultivate personally" means to cultivate any land on one's own account —

(i) by one's own labour, or

(ii) by the labour of any member of one's family, or

(iii) by servant on wages payable in cash or kind but not in crop share or by hired labour under one's personal supervision or the personal supervision of any member of one's family;

Explanation — For the purposes of this clause, —

(i) a widow or a minor or a person who is subject to any physical or mental disability or who is a member of the Armed Forces of the Union shall be deemed to cultivate the land personally if it is cultivated by her or his servants or by hired labour;

(ii) in the case of an undivided Hindu family, the land shall be deemed to have been cultivated personally if it is cultivated by any member of such family;

(*g*) "cultivation" means the use of lands for the purpose of agriculture;

(*h*) "cultivating tenant" means a person who cultivates personally any land belonging to another under an agreement, express or implied, and pays rent therefor in cash or in kind or delivers a share of the produce;

(*i*) "Government" means the Government of Goa, Daman and Diu;

(*j*) "homestead" means a dwelling house together with any courtyard, compound, garden, outhouse, place of worship, family graveyard, storehouse, library, office, guest-house, tanks, wells, privies, latrines, drains and boundary walls annexed or appertaining to such dwelling house;

(*k*) "land" means any land used either for purposes of agriculture or for purposes ancillary thereto including waste land, forest land, land for pasture or sites of buildings and other structures occupied by cultivators of land, agricultural labourers and village artisans and includes, —

(i) benefits to arise out of such land, and

(ii) things attached to such land or permanently fixed to anything attached to such land;

(*l*) "prescribed" means prescribed by rules made under this Act;

(*m*) "proprietor" means a person who holds land granted to him or any of his predecessors-in-interest by the former Portuguese Government by way of gift, sale or otherwise and includes his co-sharers.

3. **Abolition of proprietory rights.** — Notwithstanding anything to the contrary contained in any usage, settlement, contract, grant, sanad, order or other instrument, or any law for the time being in force, with effect on and from the appointed date —

(i) all rights, title and interest of every proprietor in or in respect of all lands held by him as proprietor shall be deemed to have been extinguished; and

(ii) all such rights, title and interest in such lands shall stand transferred to and vest in the Central Government free from all encumbrances, and every mortgage, debt or charge on any such right, title and interest in or over such lands shall be a charge on the amount of compensation payable to such proprietor under this Act;

(iii) where under any agreement or contract made before the appointed date any rent or other dues for any period after the said date has been paid to or compounded or released by a proprietor, the same shall, notwithstanding such agreement or contract, be recoverable from the proprietor and may, without prejudice to any other mode of recovery, be realised by deduction from the compensation payable to the proprietor under this Act.

4. **Re-grant of certain lands to the proprietor as occupant.** — Immediately after the vesting of the lands in the Central Government under section 3, the

following lands shall be deemed to have been re-granted to the proprietor from whom they had vested in the Central Government and the proprietor shall hold them from the Central Government as an occupant and shall be liable to pay to the Government the land revenue as provided in section 6, namely: —

(*a*) homesteads, buildings and structures together with lands appurtenant thereto in the occupation of the proprietor, but excluding those which are in the possession of a cultivating tenant;

(*b*) lands under the personal cultivation of the proprietor, not being pasture or grass lands.

5. **Civil Administrator to take charge of lands etc., vested in Central Government.** — (1) The Civil Administrator shall take charge or possession of all lands and of all rights, title and interest therein of a proprietor vested in the Central Government under section 3, and for this purpose the Civil Administrator or any officer authorised by him may take such steps or use such force as may be necessary.

(2) Nothing in this section shall be deemed to authorise the Civil Administrator to take possession of any land of the proprietor which may have been re-granted to him under section 4.

6. **Liability of lands for payment of land revenue from the appointed date.** — (1) All lands the rights, title and interest in which have vested in the Central Government under section 3 shall, with effect on and from the appointed date, be liable to the payment of land revenue to the Government in accordance with the revenue survey and settlement of land revenue:

Provided that until the revenue survey and settlement of land revenue of such lands are made, the land revenue payable in respect of such lands shall,—

(i) in any case where any such land is held for the purpose of cultivation by a cultivating tenant, be one-twentieth of the rent or where the rent is in kind, the cash equivalent (which shall be determined as hereinafter provided) of one-twentieth of the rent payable by the cultivating tenant to the proprietor immediately before the 20th December, 1961;

(ii) in the case of any other land, be calculated at such rate or rates as the Civil Administrator may fix having regard to the rent payable immediately before the 20th December, 1961, for such or similar land:

Provided further that the amount of land revenue payable under the preceding proviso shall in no case exceed rupees twenty-five per hectare in the case of jirait land, rupees fifty per hectare in the case of paddy land and rupees seventy-five per hectare in the case of garden land.

Explanation: —

(i) "paddy land" means land used for the cultivation of paddy;

(ii) "garden land" means land irrigated by a well, tank, canal, river, nala or any other source of water and used for the cultivation of fruits including coconuts, arecanuts or vegetables;

(iii) "jirait land" means land other than a paddy or a garden land.

(2) For the purposes of clause (i) of the proviso to sub-section (1), the Civil Administrator shall publish in the Official Gazette on the 1st January of each year the price of paddy or other crop which shall be adopted for determining the cash equivalent of the rent for that year.

7. **Rights of certain cultivating tenants to be restored to possession of their lands.** — (1) Any cultivating tenant who has been evicted from any land on or after the 20th December, 1961, may, if the land from which he was evicted was in the possession of the proprietor on the 26th February, 1970, make an application to the Assistant Civil Administrator within six months from the appointed date for restoration of such land on the ground that he was evicted from such land without any reasonable excuse.

(2) On receipt of such application or *suo motu*, the Assistant Civil Administrator may make such enquiry as he thinks fit.

(3) If on such enquiry, the Assistant Civil Administrator is satisfied that such cultivating tenant was in possession of that land on or after the 20th December, 1961, and that he was evicted therefrom by the proprietor thereof on any ground other than the grounds specified in sub-section (4), he may order restoration of such land to the cultivating tenant, or direct the proprietor to pay such compensation to him as the Assistant Civil Administrator may deem appropriate in the circumstances of the case.

(4) The grounds referred to in sub-section (3) are the following: —

(*a*) the cultivating tenant had failed to pay rent to the proprietor;

(*b*) the cultivating tenant had failed to cultivate the land personally;

(*c*) the cultivating tenant had unlawfully sub-let the land;

(*d*) the cultivating tenant had done any act which was permanently injurious or destructive to the land.

8. **Rights of cultivating tenants to hold land as occupants.** — (1) Every cultivating tenant holding land (not being pasture or grass lands) of which he is in actual possession on the appointed date shall, as from that date, be the occupant thereof on payment of land revenue to the Government under section 6.

(2) Every agricultural labourer or village artisan, who, on the appointed day, is in occupation of any land for the purpose of his own dwelling house, shall, as from the appointed date, be the occupant thereof on payment of land revenue to the Government under section 6.

(3) Every person to whom any land is restored under section 7 shall hold such land as occupant on payment of land revenue to the Government under section 6 from the date such land is ordered to be restored to him under section 7.

9. **Occupant to cultivate land personally.** — (1) If at any time after the appointed date the person who has become an occupant of any land under section 8, fails to cultivate such land personally, he shall, unless the Civil Administrator condones such failure for sufficient reasons, be ejected from the land which he has failed to cultivate personally, and the land shall be reverted to the Central Government without payment of any compensation.

(2) The provisions of sub-section (1) shall apply to the heirs and successors-in-title of the person referred to in sub-section (1).

10. **Transfer of land barred.** — (1) No sale (including sales in execution of a decree of a Civil Court or for recovery of arrears of land revenue), gift, exchange or lease or assignment or mortgage of any land in respect of which any person has become an occupant under section 8, shall be made, except with the previous permission in writing of the Civil Administrator, who may grant such permission in such circumstances and subject to such conditions as may be prescribed.

(2) Notwithstanding anything contained in sub-section (1), it shall be lawful for an occupant to mortgage or create a charge on any land referred to in sub-section (1) in favour of the Government or a Cooperative Society or the State Bank of India or any other Scheduled Bank in consideration of a loan advanced to him by the Government or the Co-operative Society or the State Bank of India or the Scheduled Bank, as the case may be, for improvement of the land.

11. **Forfeiture of land transferred in contravention of section 10.** — (1) Where in respect of the transfer of any land, the Assistant Civil Administrator *suo motu* or on the application of any person interested in such land has reason to believe that such transfer is in contravention of section 10, he shall issue notice to the transferor and the transferee to show cause why the transfer should not be declared to be in contravention of section 10, and shall hold an enquiry and decide whether the transfer is in contravention of section 10.

(2) If after holding such inquiry the Assistant Civil Administrator declares the transfer to be in contravention of section 10, the land in respect of which such contravention has taken place shall be deemed to be forfeited to the Central Government without payment of any compensation.

12. **Declaration of conferment of occupancy rights.** — (1) As soon as may be after the appointed date, the Assistant Civil Administrator shall publish or cause to be published in the prescribed manner a provisional declaration in the prescribed form giving the names of proprietors and the particulars of the lands which are deemed to have been re-granted to them under section 4 and also the names of cultivating tenants and the particulars of lands in respect of which they are to become occupants under section 8. The declaration shall also call upon all persons interested in the lands specified in the declaration to submit to him the objections to the said provisional declarations, within one month from the date of publication of the said declaration.

(2) The Assistant Civil Administrator shall consider the objections received by him under sub-section (1) and shall make an order disposing of each individual objection. Any person aggrieved by such order may within a period of thirty days from the date of such order, file an appeal to the Civil Administrator. The Civil Administrator shall dispose of such an appeal after giving the parties concerned an opportunity of being heard.

(3) The declaration issued under sub-section (1) as modified by the orders, if any, passed by the Assistant Civil Administrator, or where an appeal has been filed, as modified by the decision of the Civil Administrator, shall be final and shall be conclusive evidence of the conferment of occupancy rights in respect of any land under section 4 or section 8.

13. **Compensation to proprietors.** — A proprietor whose rights, title and interest in respect of his lands vest in the Central Government under section 3, shall be entitled to payment of compensation in respect of the lands which have vested in the Central Government and have not been re-granted to him under section 4, at the rate of twenty times the annual payment (Contribuição Predial) which the proprietor was liable to make to the former Portuguese Government in respect thereof immediately before the 20th December, 1961.

14. **Method of payment of compensation.** — (1) Any person entitled to compensation under section 13 shall, on or before such date as the Government may specify in this behalf from time to time by notification in the Official Gazette, make an application to the Civil Administrator in the prescribed form for payment of such compensation.

(2) On receipt of an application under sub-section (1), the Civil Administrator shall, after making such inquiry as he thinks fit, determine the amount of compensation payable to such person:

Provided that where there are more persons than one entitled to such compensation, the Civil Administrator shall apportion the compensation among them:

Provided further that in cases of dispute regarding apportionment of compensation among the persons entitled to compensation, the Civil Administrator shall direct them to have their respective shares adjudicated upon by a competent civil court and the payment of compensation shall be in accordance with such adjudication.

15. **Payment of compensation.** — The compensation determined under section 14 shall, after deducting therefrom the dues, if any, referred to in clause (iii) of section 3, be paid in cash to the person or persons to whom it is payable, but if any such person refuses to accept payment, the amount payable to him shall be deposited by the Civil Administrator in a competent civil court.

16. **Proprietors to deliver records to authorised officers.** — (1) Whenever any officer authorised by the Civil Administrator in this behalf so directs, a proprietor shall deliver to him or such other officer as may be specified in the direction, the records relating to the lands or village or villages held by him as proprietor.

(2) If a proprietor fails without reasonable cause to deliver any such records, he shall, on conviction,

be punished with fine which may extend to two hundred rupees. In the case of continuing failure to deliver any such records, the proprietor shall be punished with an additional fine which may extend to twenty five rupees for every day during which such failure continues after conviction for the first such failure.

17. **Duties and functions of the Assistant Civil Administrator.** — For the purpose of this Act, the following shall be the duties and functions to be performed by the Assistant Civil Administrator, namely: —

(*a*) to decide whether a person is a proprietor;

(*b*) to decide whether a person is an agricultural labourer;

(*c*) to decide whether a person is a cultivating tenant;

(*d*) to decide the amount of rent recoverable from the proprietor under section 3;

(*e*) to decide the homesteads, buildings and structures together with land appurtenant thereto and the lands under personal cultivation which are deemed to be re-granted to the proprietor under section 4;

(*f*) to determine the land in respect of which occupancy rights are conferred under section 8 and the person on whom they are conferred;

(*g*) to take measures for restoration of land to the cultivating tenant under section 7 and to recover compensation from the proprietor payable by him under sub-section (3) of that section; and

(*h*) to decide such other matters as may be referred to him by or under this Act.

18. **Commencement of proceedings.** — Except as expressly provided by or under this Act, all inquiries and other proceedings before the Assistant Civil Administrator shall be commenced by an application which shall contain the following particulars, namely: —

(*a*) the name, age, profession and place of residence of the applicant and the opponent;

(*b*) a short description of the matter about which dispute has taken place or the amount of claim, as the case may be;

(*c*) the circumstances out of which the cause of action arose;

(*d*) a list of documents, if any, and of the applicant's witnesses and the information as to whether such witnesses are to be summoned to attend or whether the applicant will produce them on the day of hearing; and

(*e*) such other particulars as may be prescribed.

19. **Procedure.** — (1) In all inquiries and proceedings under this Act, the Assistant Civil Administrator shall exercise the same powers as the Mamlatdar under the Mamlatdar's Court Act, 1966 (hereinafter referred to as the «said Act») and shall (except as provided in sub-section (3) of section 7 and section 11) follow the provisions of the said Act.

(2) In regard to any matter which is not provided in the said Act, the Assistant Civil Administrator shall follow the procedure as may be prescribed.

(3) Every decision of the Assistant Civil Administrator shall be recorded in the form of an order and shall state the reasons for such decision.

(4) An appeal against any order of the Assistant Civil Administrator shall be filed within thirty days from the date of that order to the Civil Administrator.

(5) The decision of the Assistant Civil Administrator, when no appeal is filed, and the decision of the Civil Administrator, when appeal is filed, shall, subject to revision to be made to the Administrative Tribunal constituted under the Goa, Daman and Diu Administrative Tribunal Act, 1965, within a period of ninety days from the date of the decision of the Civil Administrator, be final.

20. **Revision.** — When no appeal has been filed within the period provided for it, the Civil Administrator may *suo motu* or on a reference made by the Government at any time, call for the record of any inquiry or proceeding of the Assistant Civil Administrator for the purpose of satisfying himself as to the legality or propriety of the order of the Assistant Civil Administrator and as to the regularity of the inquiry or proceeding of the Assistant Civil Administrator and pass such order thereon as he deems fit:

Provided that no such record shall be called for after the expiry of one year from the date of the order of the Assistant Civil Administrator and no such order shall be modified, annulled or reversed unless opportunity has been given to the interested parties to appear and be heard.

21. **Court-fees.** — Notwithstanding anything contained in the Court-fees Act, 1870, every application or appeal made under this Act shall bear court-fee stamp of fifty paise if made to the Assistant Civil Administrator and of two rupees if made to the Civil Administrator.

22. **Bar of jurisdiction.** — (1) No Civil Court shall have jurisdiction to settle, decide or deal with any question which is by or under this Act required to be settled, decided or dealt with by the Assistant Civil Administrator or by the Civil Administrator in appeal.

(2) No order of the Assistant Civil Administrator or the Civil Administrator made under this Act shall be questioned in any Civil or Criminal Court.

23. **Protection of action taken under this Act.** — (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any rules made thereunder.

(2) No suit or other legal proceeding shall lie against the Government for any damage caused or likely to be caused or any injury suffered or likely to be suffered by virtue of any provision contained in this Act or any rules made thereunder or by anything in good faith done or intended to be done in pursuance of this Act or any rules made thereunder.

24. **Power to remove difficulty.** — (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may by order make such provisions (not inconsistent with this Act) as appear

to it to be necessary or expedient for removing the difficulty.

(2) Any order under sub-section (1) may be made so as to be retrospective to any date not earlier than the appointed date:

Provided that no order under this section shall be made after the expiration of three years from the appointed date.

25. **Power to make rules.** — (1) The Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) The power to make rules under this section is subject to the condition that they shall be made after previous publication for thirty days.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislature of the Union territory of Goa, Daman and Diu while it is in session for a total period of 30 days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, the Legislature agrees in making any modifications in the rule or the Legislature agrees that the rule should not be made and notifies such decision in the Official Gazette, the rule shall from the date of publication of such notification have effect only in such modified form or be of no effect as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or permitted to be done under that rule.

Secretariat
Panaji
February 10, 1971.

O. P. GARG
Secretary to the Government of Goa, Daman and Diu.

Development Department 'A'

Notification

CDB/COOP/21/71

In exercise of the powers conferred by sub-section (2) of Section 1 of the Maharashtra Co-operative Societies (First Goa, Daman and Diu Amendment) Act, 1970, the Administrator Goa, Daman and Diu hereby appoints the 15th February, 1971 as the date on which the said amendment Act shall come into force in the Union Territory of Goa, Daman and Diu.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Development).

Panaji, 12th February, 1971.

Labour and Information Department

Mormugao Port Trust

Notification

MPT/3-GA(8)/71

In exercise of the powers conferred under Chapter VI of the Major Port Trusts Act, 1963 and with the prior sanction of the Central Government as required under Section 52 of the said Act the reduced rates shown in column 4 hereunder will be levied on the tests etc. already carried out by the "Expert Committee on Occupational Diseases" in the Mormugao Port Trust Hospital: —

Sr. No. of the Mormugao Port Trust Schedule of Harbour and Railway Rates	Type of Service	Ordinary Rates	Reduced Rates
1	2	3	4
J. 8	X-Ray (one exposure) of size 12"×15" per plate.	Rs. 20.00	Rs. 15.00
J. 36	Qualitative test of urine.	Rs. 10.00	Rs. 5.00

By order,

Shivakumar Dhindaw
Secretary

Mormugao, 14th January, 1971.

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